

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JUAN REYES-CASTILLO,

Plaintiff,

UNITEDHEALTHCARE INSURANCE COMPANY

Involuntary Plaintiff

v.

Case No. 22-cv-1320-bhl

JOHN WHITE, BRANDON PIPP,  
ANDREW STOCKLAND and CITY OF BROOKFIELD

Defendants.

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**ORDER ON MOTION TO AMEND SCHEDULING ORDER**

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On February 17, 2023, the Court issued a Scheduling Order, adopting deadlines largely consistent with those the parties proposed in their Federal Rule of Civil Procedure 26(f) Report. (ECF Nos. 15 & 20.) Two months later, the parties jointly moved to amend the Scheduling Order to allow Defendants more time to respond to discovery requests and produce deposition witnesses. (ECF No. 21.) On May 1, 2023, the Court granted the motion and issued an Amended Scheduling Order, adopting the parties' proposed deadlines. On June 28, 2023, the parties again jointly moved to amend the Scheduling Order. (ECF No. 23.) This time, the parties state that an extension is necessary because the current schedule calls for primary expert witness disclosure by July 3, 2023, but Plaintiff will not be able to take his final requested deposition until July 12, 2023. (*Id.* at 2.) Despite this rather minor inconvenience, the proposed amended schedule pushes all deadlines back a full two months, though it suggests maintaining the final pre-trial conference and trial dates. This is problematic for at least two reasons. First, adjusting the schedule as the parties propose would render the final pre-trial conference and trial dates unworkable. The pending motion asks to delay the dispositive motion deadline to February 9, 2024, which would result in summary judgment motions not being fully briefed until late March, only two weeks before the trial date. Second, there is no need to postpone the entire

schedule for two months to accommodate a single late-breaking deposition. There is already a four-month gap between primary and rebuttal expert witness disclosures. This provides ample room to accommodate Plaintiff's need to complete the deposition before disclosing his primary expert report. The Court will therefore make a single adjustment to the scheduling order, moving back the primary expert disclosure deadline by about a month. All other deadlines will remain in place.

Accordingly,

**IT IS HEREBY ORDERED** that the parties' Joint Motion to Amend/Correct Scheduling Order is **GRANTED**, in part, and **DENIED**, in part.

In accordance with Fed. R. Civ. P. 26, primary expert witness disclosures are now due on or before **August 7, 2023**. All other deadlines will remain as issued in the May 1, 2023 Amended Scheduling Order.

SO ORDERED on June 29, 2023.

*s/ Brett H. Ludwig*

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BRETT H. LUDWIG

United States District Judge